

To: Woolner, Rhodora (ENRD)[Rhodora.Woolner@usdoj.gov]; Lu, Sarah (ENRD)[Sarah.Lu@usdoj.gov]; Brown, Samuel[BROWN.SAMUEL@EPA.GOV]; Drelich, David[Drelich.David@epa.gov]; karen.dworkin@usdoj.gov[karen.dworkin@usdoj.gov]; Friedman, Henry (ENRD)[Henry.Friedman@usdoj.gov]; Kermish, Laurie[Kermish.Laurie@epa.gov]; Knapp, Michael[Knapp.Michael@epa.gov]
Cc: justin.smith@usdoj.gov[justin.smith@usdoj.gov]
From: Harvey, Judy (ENRD)
Sent: Wed 6/25/2014 5:46:46 PM
Subject: RE: REG 09 CWA CITIZEN SUIT SETTLEMENT AGREEMENT FOR REVIEW/COMMENTS. CALIFORNIA RIVER WATCH V. CITY OF WILLITS - 13-03395
[Willits Final Agreement - CRW signature.pdf](#)
[ATT00001.htm](#)
[removed.txt](#)
[Apparent Settlement](#)
[California River Watch v. City of Willits](#)
[FW California River Watch v. City of Willits](#)
[Calif. River Watch v. City of Willits - Case No. 13-03395 VC](#)
[Re Calif. River Watch v. City of Willits - Case No. 13-03395 VC](#)

Reviewers:

We received notice from an interested party (that had unsuccessfully tried to intervene in this case) that the parties in the above-referenced case had settled and filed a stipulation for dismissal without providing the United States with an opportunity to review the settlement. The plaintiff here is repeat player California River Watch, who apologized for the "oversight" in failing to provide us the settlement for review (see attached). They have now agreed to withdrawal the dismissal (which hadn't yet been signed by the Court) until we've had the opportunity to review.

Please note that River Watch has sued the City of Willits before, and the City at that time asked us to investigate River Watch for unnecessary citizen suits—attached is some correspondence on the issue that Sarah located.

I also attach correspondence with the party that tried to intervene, Brooktrails Township Community Services District, which has a property interest in the wastewater treatment plant. They have also asked the Court for an opportunity to review the settlement (at the time the Court denied their intervention motion, it said they would be given an opportunity to review the settlement).

Please provide comments on the settlement by COB July 7.

Thanks,

Judy

From: Woolner, Rhodora (ENRD)
Sent: Friday, June 20, 2014 6:20 PM
To: Harvey, Judy (ENRD); Lu, Sarah (ENRD); Brown, Samuel; Drelich, David; Dworkin, Karen (ENRD); Friedman, Henry (ENRD); Kermish, Laurie; Knapp, Michael
Cc: Smith, Justin (ENRD)
Subject: REG 09 CWA CITIZEN SUIT SETTLEMENT AGREEMENT FOR REVIEW/COMMENTS. CALIFORNIA COMMUNITIES AGAINST TOXICS V. STRUCTURAL. REF. NO. DJ 90-1-24-03764
Importance: High

Reviewers:

Please review the attached settlement agreement. Provide comments to Judy Harvey <mailto:judith.harvey@usdoj.gov> and to Sarah Lu <mailto:sarah.lu@usdoj.gov> by COB 06/30/2014.

Thank you,

*Rhodora N. Woolner
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"A man's reach should exceed his grasp". Robert Browning*

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From: Gideon Kracov [<mailto:gk@gideonlaw.net>]
Sent: Friday, June 20, 2014 01:27 PM
To: Harvey, Judy (ENRD); 'David W. Trotter' <DTrotter@bowlesverna.com>
Subject: Settlement in CCAT v. Structural Composites - CV 14-1742 RSWL

Ms. Harvey:

FYI, here is the Notice of Settlement, full Settlement Agreement w/Exhibits, Proof of Service and letter from As You Sow to DOJ in the referenced matter.

Copies of the full Settlement are also being served today in compliance with 40 CFR Section 135.5, and on the DOJ Citizen Suit Coordinator P.O. Box.

The Complaint was served on March 11, 2014 on the agencies and DOJ in compliance with 40 CFR Section 135.5.

This should trigger the 45 day review period.

I am also copying Defendants' lawyer Dave Trotter.

Let us know should you questions on the documents.

Best,

Gideon Kracov

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